

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2003-515

August 11, 2003

EASTERN MAINE ELECTRIC CO-OP, INC.
Tariff Revision to terms and Conditions to
Section 3 – Customer's Installation

PROCEDURAL ORDER

On July 11, 2003, Eastern Maine Electric Co-Op, Inc. (EMEC) filed revised rate schedules, for effect on August 11, 2003. The new rate schedules impose a Conservation Assessment Surcharge on all customer classes, except for the customer class that includes Domtar. (Domtar is the only customer within that class.) The surcharge is intended to provide EMEC with the revenue to pay for the Conservation Assessments that the Commission will impose on EMEC. The Commission decided on the assessment amounts on April 4, 2003 when it issued its Order on Conservation Program funding in Docket No. 2002-162. By the April 4 Order, kWhs supplied to Domtar are included in the calculation of EMEC's assessment.

In its cover letter accompanying the revised rate schedules EMEC states that it is not reasonable to impose a conservation surcharge on Domtar. Accordingly, EMEC's revised rate schedules do not include a surcharge on Domtar, even though EMEC understands that effective on July 1, 2003, the conservation assessment imposed by the Commission will include sales to Domtar.

EMEC states that it wants to seek reconsideration of the Commission's April 4 Order and ask the Commission to exclude sales to Domtar in calculating EMEC's assessment. EMEC cites a decision of the Commission on June 30, 2003, in Docket Nos. 2002-162 and 2003-385, in which the Commission decided to exclude the kWh of Madison Paper Industries for Madison Electric Works's conservation assessment pending the outcome of the Commission's investigation into consumer-owned utilities' conservation assessments in Docket No. 2003-348. EMEC believes Madison Paper and Domtar are similarly situated, but EMEC is prohibited from seeking reconsideration because more than 20 days have lapsed since April 4. Therefore, EMEC asks the Commission to waive the requirement in Chapter 110 that requests for reconsideration must be filed within 20 days.

The Commission will allow the revised rate schedules to go into effect on August 11, 2003, without suspension and further investigation. In addition, the 20-day deadline for filing a request for reconsideration concerning the calculation of EMEC's conservation assessment is hereby waived. EMEC shall have an additional 30 days from the date of this Order to file a reconsideration request.

If EMEC files a request for reconsideration, for administrative convenience, the request will be processed under this docket number. In addition, the provision in

Chapter 110 that operates to deny a reconsideration request if not acted upon in 20 days is waived.

Dated at Augusta, Maine, this 11th day of August, 2003.

BY ORDER OF THE HEARING EXAMINER

James A. Buckley